

City of Junction City's Public Records Policy

Oregon law states that every person has a right to inspect any non-exempt public record. Oregon Revised Statute (ORS) 192.410 defines a "public record" as any writing containing information relating to the conduct of the public's business, prepared, owned, used or retained by a public body regardless of the physical form or characteristics. ORS 192.410 goes on to define "writing" as handwriting, typewriting, printing, photostatting, photographing and every means of recordings of any type, which includes letters, words, pictures, sounds or symbols, or any combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, discs, drums or other documents.

The Public Records request shall be made in writing and shall provide sufficient descriptive information to enable staff to identify and locate the records requested. Written requests shall be submitted to the City Recorder or authorized representative.

If there is doubt that the records requested for inspection are not clearly within the definition of "public record," or are exempt records, the request will be referred to the City's attorney for review and recommendation.

If the records requested are documents which are produced by the City for general distribution and printed copies are available, i.e., City Council agenda, permit applications, election-related petitions, brochures, etc., a written request is not required, and a copy of each document will be provided at no charge. Copies of formalized reports will be provided at the City's actual cost according to a fee schedule determined by the Finance Director or City Recorder.

Copies of other records will be provided at the following charges:

1. Copies of documentary records, up to 11 x 17", that can be identified, located and produced with a nominal amount of staff time (less than one-half hour) will be provided at a charge of \$0.25 per page, plus any cost of delivery. Documents delivered via fax machine will be charged back at \$0.75 per page.
2. Copies of other records including records kept in a non-documentary form (oversized documents, maps, faxed documents, audio/visual recordings, microforms, electronic records, and other non-standard records) will be provided at the rate described in Oregon Administrative Rule (OAR) 166-10-0016 unless the cost is specifically set by the City of Junction City. Records which may not be covered in OAR 166-10-0016 or a City schedule will be charged back at the City's actual cost for duplicating and delivery charges.

3. Copies of photographs that can be identified, located and produced with a nominal amount of staff time (less than one-half hour) will be provided at the actual cost for copying and delivery charges.
4. Copies of records that require attorney time, over one-half hour, for segregation of exempt from non-exempt material will be provided at the City's actual cost for attorney time, copying and delivery charges. Staff will advise the person requesting the records of the attorney's billing rate and obtain a deposit equal to one hour of attorney time. The Finance Director or City Recorder will determine the final cost for attorney time based on the billing to the City.

Public records requests which involve more than one-half hour of staff time for identification and location of the requested records will include a charge for staff time. The Finance Director or City Recorder will determine cost for staff time based on the hourly wage/benefits of the staff involved.

If it appears that the costs of providing copies will be substantial, the costs will be estimated in advance and the person making the request will be asked to pre-pay the estimated costs. If the actual costs are less than the advanced pre-payment, deposits will be refunded within three weeks of the date the actual costs are known.

Charges for providing records may be reduced or waived if it is determined that the waiver or reduction is in the public interest because making the record available primarily benefits the general public. Any requests for fee waivers or reductions must be made in writing and referred to the City Recorder or authorized representative for consideration.

The City will provide a response to public records requests within a reasonable time after receiving the request. If the request is limited in scope and does not raise exemption issues, the City will endeavor to provide access to or a copy of the requested documents within two working days. In all cases, the City will endeavor to provide a status report within one week of receiving the request. The status report should normally provide an estimate of when a decision may be made or when the records may be available. Inspection of public records shall be conducted and all copies of public records shall be produced during the regular business hours of the City of Junction City.

